

Court of Appeals, State of Michigan

ORDER

Jeffrey William Kidder v Laura Sue Pobursky-Kidder

Docket No. 356297

LC No. 2010-776877-DM

Colleen A. O'Brien
Presiding Judge


Kathleen Jansen

Jonathan Tukel
Judges

The motion to file a late answer to the motion to dismiss is GRANTED. The answer filed on April 7, 2021, shall be treated as timely filed.

The motion to dismiss is DENIED. The order entered on December 17, 2020, qualifies as a final order for purposes of this Court's jurisdiction under MCR 7.202(6)(a)(iv).

Furthermore, although plaintiff-appellant has failed to provide this Court with a stenographer's certificate for the four hearing dates listed in defendant-appellee's motion to dismiss, dismissal is not warranted at this point. Dismissal is warranted only after the Court notifies the party of the deficiency and provides 21 days to remedy it. MCR 7.217(A). Therefore, the Court further orders that, within 21 days of this order, appellant shall file a stenographer's certificate for the March 5, 2018, April 11, 2018, August 12, 2020, and September 30, 2020, hearing dates as required under MCR 7.210(B)(1)(a). The Clerk is directed to submit this appeal on the involuntary dismissal docket without further notice to the parties if appellant fails to provide a stenographer's certificate for all four hearing dates within 21 days.


Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

APR 16 2021

Date


Chief Clerk